

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KRISTINE MITCHELL,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 08-13301

Hon. Gerald E. Rosen

Magistrate Judge Steven D. Pepe

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on August 31, 2009

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On July 29, 2009, Magistrate Judge Steven D. Pepe issued a Report and Recommendation ("R & R") recommending that the Court grant the Defendant Commissioner of Social Security's motion for summary judgment and deny Plaintiff Kristine Mitchell's motion for summary judgment. Plaintiff has not filed any objections to the R & R. Upon reviewing the R & R, the parties' underlying motions, and the record as a whole, the Court fully concurs in the thorough analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's July 29, 2009 Report and Recommendation is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED that, for the reasons stated in the R & R, Defendant's motion for summary judgment (docket #14) is GRANTED, and Plaintiff's motion for summary judgment (docket #11) is DENIED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: August 31, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 1, 2009, by electronic and/or ordinary mail.

s/Ruth Brissaud
Case Manager